

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

RICHARD AMUM'RA BEY

PLAINTIFF

VS.

CIVIL ACTION NO. 3:21-cv-504-DPJ-FKB

MAGISTRATE STEVEN BOONE, ET AL.

DEFENDANTS

REPORT AND RECOMMENDATION

On August 4, 2021, Plaintiff Richard Amum'Ra Bey filed this *pro se* action along with a short form Application to Proceed in District Court Without Prepaying Fees or Costs [2]. A few days later, the Court entered an order [3] noting that Plaintiff failed to complete the short form application and setting a deadline of August 31, 2021, for Plaintiff to either file a completed long form application for leave to proceed *in forma pauperis* or pay the required filing fee of \$402.00. *See* 8/9/2021 Order [3].

Plaintiff subsequently filed a long form application but did not properly complete the form. *See* [5]. Therefore, the Court issued an order finding that the application was incomplete due to Plaintiff's simply making the notation, "NA," in response to all numbered inquiries, except those in sections 11 and 12. *See* 9/29/2021 Order [7]. Accordingly, the Court set a deadline of October 15, 2021, for Plaintiff to either file a completed long form application or pay the required filing fee. *Id.*

On October 12, 2021, Plaintiff filed his third application for leave to proceed *in forma pauperis*. *See* [9]. As with the second application [5], Plaintiff responded to all numbered inquiries, except those in sections 11 and 12, only with a notation of "N/A." *Id.*

Rule 5(a)(2) of the Local Uniform Rules of Civil Procedure provides that "[f]iling fees must be paid to the clerk of court upon filing of each original complaint or petition." L.U.Civ.R.

5(a)(2). Plaintiff has not paid a filing fee and has yet to submit a completed application to proceed *in forma pauperis*, despite two orders ([3], [7]) offering Plaintiff an opportunity to do so. For these reasons, the undersigned recommends that this action be dismissed without prejudice.

Plaintiff is hereby notified that failure to file written objections to the proposed findings, conclusions, and recommendation contained within this report and recommendation within fourteen (14) days after being served with a copy shall bar Plaintiff, except upon grounds of plain error, from attacking on appeal the proposed factual findings and legal conclusions accepted by the district court. 28 U.S.C. § 636; Fed. R. Civ. P. 72(b); *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996).

Respectfully submitted, this the 29th day of October, 2021.

/s/ F. Keith Ball
UNITED STATES MAGISTRATE JUDGE